

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 19, 2021**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Robbie Edgar Gannon Case Number: 0980 2:20CR00156-TOR-1

Address of Offender: 605 South A Street, Apt. D, Moses Lake, Washington 98837

Name of Sentencing Judicial Officer: The Honorable William J. Haynes, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: December 9, 2013

Original Offense: Felon in Possession of a Firearm,
18 U.S.C. § 922(g)(1)Original Sentence: Prison - 92 Months; Type of Supervision: Supervised Release
TSR - 36 Months

Asst. U.S. Attorney: David Michael Herzog Date Supervision Commenced: June 7, 2019

Defense Attorney: Federal Public Defender Date Supervision Expires: June 6, 2022

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	Standard Condition #7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
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Supporting Evidence: Mr. Gannon is alleged to have violated standard condition number 7 by consuming a controlled substance.

On June 10, 2019, the offender's conditions were reviewed and he signed said conditions acknowledging an understanding of his requirements. Specifically, he was made aware by his U.S. Probation officer that he was required to refrain from the use of controlled substances.

On March 16, 2021, Mr. Gannon was called and instructed to submit to a drug screening the next business day, as part of an early termination investigation. Mr. Gannon immediately admitted he would not pass the drug screening due to using marijuana nightly for the last 2 months. He did not anticipate any drug screens as he was last drug tested in 2019.

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Mr. Gannon was admonished and informed he would be required to submit to random testing again in response to the violation. He understood and took full responsibility for his actions. He explained he resumed using marijuana after finding it helped him with his anxiety and symptoms of post-traumatic stress disorder (PTSD), instead of seeking help from a mental health counselor. Between this officer and Mr. Gannon, it was agreed he would seek counseling immediately. To Mr. Gannon's credit, he had otherwise been doing well on supervision. He has maintained consistent employment, obtained stable housing independently, and has reports as directed.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 19, 2021

s/Emely Cubias

Emely Cubias
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge
March 19, 2021

Date